# JAQUEZ & ASSOCIATES

FACSIMILE TRA	NSMITTAL SHEET	
TO: HONORABLE COMMISSIONER FOR PATENTS AND TRADEMARKS - DEPOSIT ACCOUNT BRANCH	from: Martin J. Jaquez – Jaquez & Associates	
FAX NUMBER: (571) 273-6500	DATE: MARCH 6, 2007	
COMPANY: U.S. PATENT AND TRADEMARK OFFICE	TOTAL NO. OF PAGES INCLUDING COVER:	
PHONE NUMBER:	OUR REFERENCE NUMBER: VIA-018-CIP	
RE: APPLN. NO. 10/080,728	YOUR REFERENCE NUMBER.	
Urgent Ufor review Uplease com	MENT □ PLEASE RECYCLE	
NOTES/OOMMENTS:		

SPECIAL NOTICE: THIS MESSAGE CONTAINS PROPRIETARY AND CONFIDENTIAL INFORMATION. THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND CONTAINS INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERY OF THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL TO US AT THE ADDRESS BELOW VIA THE U.S. POSTAL SERVICE THANK YOU.

6165 GREENWICH DRIVE • SUITE 100D • SAN DIEGO, CA. 92122 PHONE: (858) 493-2004 • FAX: (858) 453-1280 • SECONDARY PAX: (619) 286-9956

PAGE 1/6 \* RCVD AT 3/6/2007 3:46:12 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:2736500 \* CSID:8584531280 \* DURATION (mm-ss):02-24

Jaquez & Associates Intellectual Property Matters

6265 Greenwich Drive . Suite 100D . San Diego . Colifornia 92122

(858) 453-2004 • (858) 453-1280 (fax) • barbara@jaquez-associates.com

March 6, 2007

## YIA FACSIMILE (NO. (571) 273-6500)

8584531280

Honorable Commissioner of Patents and Trademarks U.S. PATENT AND TRADEMARK OFFICE Deposit Account Branch P.O. Box 1450 Alexandria, VA 22313-1450

Re:

Inquiry into Discrepancies for Deposit Account No. 50-0490

for Application No. 10/080,728 Our Reference No.: VIA-018-CIP

#### Dear Sir or Madam:

Upon review of our Deposit Account Statement dated February 2007 for Account No. 50-0490, a discrepancy has been found and is described below.

On February 7, 2007, our account was charged \$180.00 for fee code 1806, for submitting an Information Disclosure Statement (attached). As can be seen by reviewing the attached IDS, no authorization to charge our deposit account was provided. The \$180 fee therefore was erroneously deducted from our deposit account. In addition, the deposit account was erroneously reduced balow a \$1,000 balance as noted in the attached request for refund dated March 5th, 2006. Therefore, the additional \$25 service charge was also erroneously deducted from our deposit account.

Therefore, please credit our deposit account, Deposit Account No. 50-0490, in the amount of \$205.00 (\$180.00 for the original IDS fee that was incorrectly charged, and \$25.00 for the erroneously assessed service charge) to refund the funds that were erroneously deducted from the deposit account. Please contact us at the numbers provided should you have any questions or concerns regarding this request. Your prompt assistance is greatly appreciated.

Sincerely,

JAOUEZ & ASSOCIATES

Enclosures

**JAQUEZ & ASSOCIATES** 6265 Greenwich Drive, Suite 100D San Diego, CA 92122 (858) 453-2004 (voice) (858) 453-1280 (fax) E-mail: marsy@jaquez-associates.com

### VIA-018-CIP

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Brian C. Banister Applicant

App. No.

10/080,728

8584531280

Filed

February 22, 2002

For

METHOD AND APPARATUS FOR

IMPROVING TRANSMIT ANTENNA WEIGHT TRACKING USING CHANNEL CORRELATIONS IN A WIRELESS

COMMUNICATION SYSTEM

Group Art

2611

Confirmation No.:

8379

Examiner.

Burd, Kevin Michael

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service with sufficient postage as firstclass mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the subject application is hereby disclosed. Inclusion of information in this statement is not to be construct as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- This Information Disclosure Statement is being filed after the receipt of a Final Office (X)Action in accordance with 37 CFR 1.97(d). The information submitted herewith was cited in applications related to the present application more than three months prior to the filing of this information disclosure statement. This information disclosure statement and the information contained herein is being submitted in accordance with 37 CFR 1.97 (d) and (h), and the undersigned hereby requests the Examiner to consider the information contained herein, and if not considered to place the information in the file for the abovereferenced patent application.
- (XX) According to 37 CFR 1.98(2), copies of the U.S. patent references listed on the attached Form SB-08A are not hereby submitted. All of the listed and attached references cited on Form SB-08B are in the English language.

Date: January 24, 2007

Respectfully submitted

Signature Martin January

Registration No. 38,060

JAQUEZ & ASSOCIATES 6265 Greenwich Drive, Strite 100D San Diego, CA 92122 (858) 453-2004 (voice) (858) 453-1280 (facsimile)

Approved for use through 03/31/2007. OMB 0551-0031

Under the Paperyork Red	uction Act of 1985, no persons are required to	to respond to n collection of information unless it contains a valid DMB control number.  Complete if Known			
Substitute for form 1449/	PTÓ	Application Number	10/080,728		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many shorts as recessary)		Filing Date	February 22, 2002		
		First Named Inventor	Brien Banister		
		Art Unit	2611		
		Examiner Name	Burd, Kevin Michael		
14	T - 12	Altomey Docket Number	VIA-018-CIP		

U. S. PATENT DOCUMENTS Name of Palantee or Applicant of Cred Document Peges, Columns, Lines, Where Publication Date MM-DD-YYYY Relevant Pessages or Relevant Figures Appear **Document Number** Cita No. Number-Kind Code (Finance) Yousselmir, et al. US- 6,141,567 10-2000 1 US- 6,144,711 11-2000 Raleigh, et al. 2 Wallage, et al. US- 6,473,467 10-2002 3 Foschini, et al. 05-2005 <sup>US-</sup> 6,888,809 4 Banister 10-2005 <sup>Us-</sup> 6,952,455 5 US-US. US-US UŚ-ÜŔ TÉ. US-UŞ. US-US-US.

	FOREIC	IN PATENT DOCU	MENTO	Pages, Columns, Unes.	_
CE 20	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Where Relevant Passages	۱.,
	Country Code "Telephor " "10 nd Code" (if Immen)	MM-DO-YYYY		Or Relevent Figures Appear	Ļ
					Ļ
 ┢					l
 		<del>-   </del>			I
 		<del></del>	† <del>-</del>		1
1					Ť

	Date	
Examiner 1	Considered	
Stenature	1	

\*EXAMINER: Initial if reference considered, whether or not cliption is in conformance with MPEP 60%. Draw line brough citation if not in conformance and not considered, britise copy of this form with next communication to applicant. Applicant's unique citation designation number (optionar). \*See Kinda Codes of considered, britise copy of this form with next communication to applicant. Applicant absumed the document, by the two-letter code (MPPO) Standard ST.3). \*For USPTO Patant Documents at monutation of the year of the reign of the Emperor must precede the social number of the potent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*Applicant is to place a check mark here if English tanguage Translation is attached.

Transistion is stached.

This collection of information is required by 37 CFR 1.97 and 1.98. The Information is required by obtain or retain a benefit by the public which is to file (and by the This collection is expected.) Confidentially be governed by 38 U.S.C. 122 and 67 CFR 1.14. This collection is estimated in take 2 hours to complete. USPTO to process) an expectation. Confidentially be governed by 38 U.S.C. 122 and 67 CFR 1.14. This collection is estimated in take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any companies including gathering, preparing and complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent on the Important Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1459.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-785-9199) and select option 2.

8584531280



PTC/SB/188 (09-06)
Approved for use through 03/31/2007, OMB 0651-0031
U.S. Petent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Indet the Paperwork Reduction Act of 1996, no persons are Substitute for form 1449/PTO					e required to respond to a callection of information unless it contains a valid OMB control number.  Complete II Known		
					Application Number	10/080,728	
INFO	DRM/	ATIO	N DIS	CLOSURE	Filing Date	February 22, 2002	
STATEMENT BY APPLICANT			PPLICANT	First Named Inventor	Banister		
			, 	Art Unit	2611		
(Use as many aboris as nocessary)		Examiner Name	Burd, Kevin Michael				
Sheet	2		of	2	Attorney Docket Number	VIA-018-CIP	

Examiner	Cite	NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of	
Initials*	No.1	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	6	Heath, et al., "A Simple Scheme for Transmit Diversity Using Partial Channel Feedback", Information Systems Laboratory, IEEE, 1998, pp. 1073-1078.	
	7	Gerlach, et al., "Base Station Transmitting Antenna Arrays for Multipath Environments", Signal Processing, Vol. 54, No. 1, published by Elsevier, October 1996, pp. 59-73.	
	8	Gerlach, "Adaptive Transmitting Antenna Arrays with Feedback", IEEE 1994, pp. 150-152	
	9	Gerlach, "Adaptive Transmitting Antenna Methods for Multipath Environments", IEEE, Globecom, 1994, pp. 425-429, vol. 1.	
	10	Derryberry, et al., "Transmit Adaptive Arrays without User Specific Pilot", 3GPP2-C30-19990817-030, Portland, Oregon, 8/16-20, 1999, pp. 1-4.	
	11	Harrison, "TX AA Parameter Recommendations", 3GPP2-C30-19990914-010, Tokyo, Japan, September 14, 1999, pp. 1-3.	
· · · · · · · · · · · · · · · · · · ·			
		·	

	 Det-		
Examiner	Date		
Signature -	Consider	ed l	

EXAMINER; tripp if reference considered, whighlier or not cliption is in conformance with MPEP 609. Draw line through cliption if not in conformance and not

\*EXAMINER: Initial if reference considered, whether or not clusten is in conformance with MPEP 609. Draw line through clusters if not in communication to applicant,

1 Applicant's unique citation destination number (options). 2 Applicant is to piece a check mark here if English language Translation is officeded.

This collection of information is required by 37 CFR 1,98. The information is required to obtain or rotain a benefit by the public which is to De (and by the USPTO to process) an application. Coordinatisting is greatment by 35 U.S.C. 122 and 37 CFR 1,14. This collection is estimated to take 2 hours to compete, including gettraring, preparing, and submitting the completes explication form to the USPTO. Then will vary depending upon the individual case. Any comments on the amount of time you require to complete this form ancior suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-785-9199) and select option 2.



Jagues & Associates Intellectual Property Matters

6265 Groenwich Drive . Suite 100D . San Diego . California 92122

March 5, 2007

(858) 453-2004 • (858) 453-1280 (fax) • jaquez@san.tr.com

### **VIA FACSIMILE (NO. (571) 273-6500)**

8584531280

Honorable Commissioner of Patents and Trademarks U.S. PATENT AND TRADEMARK OFFICE Deposit Account Branch P.O. Box 1450 Alexandria, VA 22313-1450

Re: Inquiry into Discrepancies for Deposit Account No. 50-0490 for Application No. 10/658,154 Our Reference No.: PBR-005-PAP

### Dear Sir or Madam;

Upon review of our Deposit Account Statement dated January 31, 2007 for Account No. 50-0490, a discrepancy has been found and is described below. For the reasons set forth below, we respectfully request a refund be credited to our deposit account.

On January 9, 2007, our deposit account was charged \$750.00 for a petition fee for our application no. 10/658,154. However, this payment was made by check no. 2283 with the petition as filed on January 4, 2007. A subsequent service charge in the amount of \$25,00 was charged to our deposit account because the erroneous \$750 fee reduced our deposit account balance to an amount which fell below \$1000.

Therefore, please credit our deposit account, Deposit Account No. 50-0490, in the amount of \$775.00 (\$750.00 for the original petition fee which was paid by check, and \$25.00 for the erroneously assessed. service charge) to refund the funds that were erroneously deducted from the deposit account. Please contact us at the numbers provided should you have any questions or concerns regarding this request. Your prompt assistance is greatly appreciated.

Sincerely,

Enclosures

JAQUEZ & ASSOCIATES 6265 Greenwich Drive, Suite 100D San Diego, CA 92122 (858) 453-2004 (vaice) (858) 453-1280 (fbx) E-mail: barbara@jaquez-associates.com Document code: WFEE

United States Patent and Trademark Office Sales Receipt for Accounting Date: 02/07/2007

SALE #00000001 Mai 01 FC:1806 Mailroom Dt: 01/29/2007 806 180.00 DA **DSAVOY** 500490 10080728